

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)



UNITED STATES DISTRICT COURT

for the

eastern District of virginia

Division

Case No.

3:21cv333

(to be filled in by the Clerk's Office)

Erick Timothy Goodall

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

UNITED STATES OF AMERICA, BOP, City Of
Richmond Virginia, Richmond City Jail, Virginia
State Police ,FBI ,Richmond City Police Department
3rd Precinct

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ye ☒ Yes ☐ No
s

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non -Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Erick Timothy Goodall
Address	3902 Chamberlayne ave #14
	Richmond VA 23227
	City State Zip Code
County	City of Richmond
Telephone Number	804 248-4171
E-Mail Address	goodalle396@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	United States District Court Eastern District of Virginia
Job or Title (if known)	
Address	701 E Broad St
	Richmond VA 23219
	City State Zip Code
County	City of Richmond
Telephone Number	804 916-2200
E-Mail Address (if known)	

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name	Richmond City Police Department 3rd Precinct
Job or Title (if known)	
Address	301 S Meadow St
	Richmond Va 23220
	City State Zip Code
County	City of Richmond
Telephone Number	804 646-1412

E-Mail Address (if known)

☐ Individual capacity ☐ Official capacity

Defendant No. 3

Name

Federal Bureau Of Prisons

Job or Title (if known)

Address

320 First St., NW

Washington

DC

20534

City

State

Zip Code

County

Washington ,DC

Telephone Number

202 307-3198

E-Mail Address (if known)

☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name

Richmond City Jail Detention

Job or Title (if known)

Address

1701 Fairfield way

Richmond

VA

23223

City

State

Zip Code

County

City of Richmond

Telephone Number

804 646-6692

E-Mail Address (if known)

☐ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☒ Federal officials (a *Bivens* claim) {yes}

☒ State or local officials (a § 1983 claim) {yes}

- B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

These are a list of my rights that is or have been violated, "COLOR OF LAW", "My right to due process" 2nd, 4th, 5th, 6th, 7th, 9th 10th, 14th amendment,

- C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

These are a list of my rights that is or have been violated, "COLOR OF LAW", "My right to due process" 2nd, 4th, 5th, 6th, 7th, 9th 10th, 14th amendment,

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Richmond City police officer Peace, of the Richmond City Police Department violated my rights to be free. He first served me one warrant that was not mine. The warrant stated a person alias Black that he was looking for was not the first time this officer came to the home with the same warrant. The officer took my firearm from the home and charged me with stealing it. Once in court I proved the gun was not stolen in the case and charges were nolle pros. 3 or 4 weeks later this same officer stopped me again this time with a federal indictment charging me with possession of cocaine with intent. This officer led me to believe I was under a federal indictment, but what the officer did was charge me with another person's indictment. Then I find out my criminal record was altered to give me a felony conviction, so I could be tried as a felon in federal court, double jeopardy illegal search and seizure of me and my property, loss of my freedom and right, the officer forged my name and likeness to give me a felony conviction. I was framed by this police officer, all other listed defendant violated my due process and my right to be free color law 14TH amendment.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Richmond, Va at the corner of boulevard and Grace street, I was pulled over by officer Peace, the police officer stated to me that I had a federal indictment for possession of cocaine with the intent to distribute. When I ask him how he stated the drugs were found in the home on a case that weeks before the officer and I was involved in and the case was nolle pros, once he placed me in custody another

officer multiple officers arrive and say i have drugs on me , which i do not once at the richmond city jail i was denied bond for 5 month until federal agents picked me up , after fingerprint testing by the richmond state police i find out that im fact that the indictment was not my but of another person ,i also found out about the altered criminal record that went back before my initial arrest in 98 . I have found out now in 2021 after several complaints about my criminal background to the FBI and state police. I discovered my criminal record is not my own 21 years later i have a felony among other charges that was kept from me during court.

B. What date and approximate time did the events giving rise to your claim(s) occur?

-6/12/98 - 8/11/98 2018-2021

C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

unknown to the court, after Richmond circuit court chose to drop my charges the police officer altered my criminal record, to show i already had a felony conviction which I did not have at first, but now I did and he rearrested me and charged me with the same crime in federal court as an already convicted felon. I was sentence to 30 months, the officer explained to me that he lived on that street so to my knowledge no person I knew was there I was drive by, i was search by this office no drugs were found but another office tell him I had drugs on me my all my right was violated on that day .

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes.

If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

i would like money damages ,for pain and suffering , lost wages, humiliation, lose of my rights and freedom the time i spent incarcerated ,mental frustration, along with the violation of my 1st, 4th -14th of my amended right, compensation for all bail moneys and fines paid to the court, compensation for one yamaha scooter valued at time 3,500\$, using my identity and likeness to incarcerate me.i would like relief in the sum of \$60,000,000.00..for years of living with another person's criminal record and not being able to get meaningful employment because of the felony convictions. ~~the~~ *punitive Damages and My Case Vacated or set aside and All My Rights Restored The Right to Possession of a Fierarm - EM 5/24/2021*

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5/24/2021

Signature of Plaintiff

Printed Name of Plaintiff

Erick Goodall
Erick Goodall

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address